

# Friend of the Sea Standard

## **FOS - Wild - Generic Sustainable fishing Requirements**

### **Friend of the Sea Association**

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REV	DATE	REASON	VALIDATION	APPROVAL
1	18/01/2013	First issue		

# Introduction

Friend of the Sea is a non-governmental organisation established in 2008, whose aim is to safeguard the marine environment and its resources incentivising a sustainable market and implementing specific conservation projects.

Friend of the Sea certification program allows assessment of fisheries and aquaculture products according to sustainability criteria and requirements. The certification, granted by Independent Certification Bodies following an audit, ensures that a product complies with the sustainability requirements.

The Friend of the Sea fishing certification program complies with the **"GUIDELINES FOR THE ECOLABELLING OF FISH AND FISHERY PRODUCTS FROM MARINE CAPTURE FISHERIES (FAO)"**. All requirements refer to criteria which conform with the "Minimum substantive criteria" included in the following FAO Guidelines.

## **"Management systems"**

*28. Requirement: The fishery is conducted under a management system which is based upon good practice and that ensures the satisfaction of the requirements and criteria described in Paragraph 29. The management system and the fishery operate in compliance with the requirements of local, national and international law and regulations including the requirements of any regional fisheries management organization that manages the fisheries on the "stock under consideration".*

*28.1 For the "stock under consideration" there are documented management approaches with a well based expectation that management will be successful taking into account uncertainty and imprecision.*

*28.2 There are objectives, and as necessary, management measures to address pertinent aspects of the ecosystem effects of fishing as per paragraph 31.*

*29. The following criteria will apply to management systems for any fisheries, but it must be recognized that special consideration needs to be given to small-scale fisheries with respect to the availability of data and with respect to the fact that management systems can differ substantially for different types and scales of fisheries (e.g. small scale through to large scale commercial fisheries).*

*29.1 Adequate data and/or information are collected, maintained and assessed in accordance with applicable international standards and practices for evaluation of the current state and trends of the stocks<sup>4</sup> (see below: Methodological aspects). This can include relevant traditional, fisher or community knowledge, provided its validity can be objectively verified.*

*29.2 In determining suitable conservation and management measures, the best scientific evidence available is taken into account by the designated authority, as well as consideration of relevant traditional fisher or community knowledge, provided its validity can be objectively verified, in order to evaluate the current state of the "stock under consideration"<sup>5</sup> in relation to, where appropriate, stock specific target and limit reference points.*

*29.2bis: Taking due account of paragraph 32, for the "stock under consideration" the determination of suitable conservation and management measures should include or take account of:*

- *Total fishing mortality from all sources is considered in assessing the state of the "stock under consideration", including discards, unobserved mortality, incidental mortality, unreported catches and catches in other fisheries.*

- *Management targets are consistent with achieving maximum sustainable yield (MSY) (or a suitable proxy) on average, or a lesser fishing mortality if that is optimal in the circumstances of the fishery (e.g. multispecies fisheries) or to avoid severe adverse impacts on dependent predators.*

- *The management system should specify limits or directions in key performance indicators (see 30.2), consistent with avoiding recruitment overfishing or other impacts that are likely to be irreversible or very slowly reversible, and specify the actions to be taken if the limits are approached or the desired directions are not achieved.*

*29.3 Similarly, data and information, including relevant traditional, fisher or community knowledge, provided its validity can be objectively verified, are used to identify adverse impacts of the fishery on the ecosystem, and timely scientific advice is provided on the likelihood and magnitude of identified impacts (see paragraph 31).*

*29.4 The designated authorities adopt and effectively implement appropriate measures for the conservation and sustainable use of the "stock under consideration" based on the data, information and scientific advice referred to in the preceding bullets.<sup>7</sup> Short-term considerations should not compromise the long-term conservation and sustainable use of fisheries resources.*

*29.5 An effective legal and administrative framework at the local, national or regional level, as appropriate, is established for the fishery<sup>8</sup> and compliance is ensured through effective mechanisms for monitoring, surveillance, control and enforcement (see paragraph 6).*

*29.6 In accordance with the Code of Conduct Article 7.5, the precautionary approach is being implemented to protect the "stock under consideration" and to preserve the aquatic environment.*

*Inter alia* this will require that the absence of adequate scientific information should not be used as a reason for postponing or failing to take conservation and management measures. Further, relevant uncertainties are being taken into account through a suitable method of risk assessment. Appropriate reference points are determined and remedial actions to be taken if reference points are approached or exceeded are specified.

### **Stocks under consideration**

30. Requirement: The "stock under consideration" is not overfished, and is maintained at a level which promotes the objective of optimal utilization and maintains its availability for present and future generations taking into account that longer term changes in productivity can occur due to natural variability and/or impacts other than fishing. In the event that biomass drops well below such target levels, management measures (Code of Conduct Article 7.6) should allow for restoration within reasonable time frames of the stocks to such levels (see also paragraph 29.2.bis). The following criteria are applicable:

30.1 The "stock under consideration" is not overfished if it is above the associated limit reference point (or its proxy).

30.2 If fishing mortality (or its proxy) is above the associated limit reference point, actions should be taken to decrease the fishing mortality (or its proxy) below that limit reference point.

30.3 The structure and composition of the "stock under consideration" which contribute to its resilience are taken into account.

30.4 In the absence of specific information on the "stock under consideration", generic evidence based on similar stocks can be used for fisheries with low risk to that "stock under consideration". However, the greater the risk the more specific evidence is necessary to ascertain the sustainability of intensive fisheries.

### **Ecosystem considerations**

31. Requirement: Adverse impacts of the fishery on the ecosystem should be appropriately assessed and effectively addressed. Much greater scientific uncertainty is to be expected in assessing possible adverse ecosystem impacts of fisheries than in assessing the state of target stocks. This issue can be addressed by taking a "risk assessment/risk management approach". For the purpose of development of ecolabelling schemes, the most probable adverse impacts should be considered, taking into account available scientific information, and traditional, fisher or community knowledge provided that its validity can be objectively verified. Those impacts that are likely to have serious consequences should be addressed. This may take the form of an immediate management response or further analysis of the identified risk. In this context, full recognition should be given to the special circumstances and requirements in developing countries and countries in transition, including financial and technical assistance, technology transfer, and training and scientific cooperation. The following criteria are to be interpreted in the context of avoiding high risk of severe adverse impacts:

31.1 Non target catches, including discards, of stocks other than the "stock under consideration" are monitored and should not threaten these non-target stocks with serious risk of extinction; if serious risks of extinction arise, effective remedial action should be taken.

31.2 The role of the "stock under consideration" in the foodweb is considered, and if it is a key prey species in the ecosystem, management measures are in place to avoid severe adverse impacts on dependent predators.

31.3 There is knowledge of the essential habitats for the "stock under consideration" and potential fishery impacts on them. Impacts on essential habitats and on habitats that are highly vulnerable to damage by the fishing gear involved are avoided, minimized or mitigated (Code of Conduct 7.2.2). In assessing fishery impacts, the full spatial range of the relevant habitat should be considered, not just that part of the spatial range that is potentially affected by fishing.

31.4 In the absence of specific information on the ecosystem impacts of fishing for the unit of certification, generic evidence based on similar fishery situations can be used for fisheries with low risk of severe adverse impact. However, the greater the risk the more specific evidence is necessary to ascertain the adequacy of mitigation measures.

### **Methodological aspects**

Assessing current state and trends in target stocks

32. There are many ways in which state and trends in stocks may be evaluated, that fall short of the highly quantitative and data-demanding approaches to stock assessment that are often used for large scale fisheries in developed countries. Use of less elaborate methods for stock assessment should not preclude fisheries from possible certification for ecolabelling. However it should be noted that, to the extent that the application of such methods results in greater uncertainty about the state of the "stock under consideration", more precautionary approaches to managing fisheries on such resources will be required which may necessitate lower levels of utilization of the resource. There is a variety of management measures commonly used in small scale or low value fisheries that nonetheless can achieve quite adequate levels of protection for stocks in the face of uncertainty about the state of the resource. A past record of good management performance could be considered as supporting evidence of the adequacy of the management measures and the management system."

## **Friend of the Sea criteria and their compliance with Minimum Substantive Criteria (FAO)**

For each of the following criteria whose compliance is verified in the course of the audit, the respective FAO Minimum Substantive Criterion observed is mentioned in brackets.

1. Status of stock (30)
2. Ecosystem Impact (31)
3. Selectivity (31)
4. Legal Compliance (28)
5. Management (28, 29)
6. Waste management
7. Energy Management
8. Social Accountability

Each one of these criteria contains essential or important requirements or recommendations.

Essential Requirements. 100% conformity to Essential Requirements is mandatory in order for the Certification Body to certify the Organisation's product. Any lack of compliance with these requirements will generate a Major Non-Conformity and the Organisation has to undertake effective Corrective Actions, to be implemented within three months from the issuing of the Non-Conformity. The Organisation shall provide satisfactory evidence to the Certification Body of correction of all major non-conformities. Six months are allowed exclusively for correction of requirements 2.1 and 2.2, in consideration of their more complex nature.

Important Requirements. 100% conformity to Important Requirements is mandatory in order for the Certification Body to certify the Organisation's product. Any lack of compliance with these requirements is to be considered as a Minor Non-Conformity and the Organisation has to propose effective Corrective Actions (declaration of intents and implementation plan), to be submitted to the Certification Body within three weeks from the issuing of the Non Conformity. This proposal must also include a timetable concerning the implementation of each correction measure. Each proposed Corrective Action must be fully implemented within the following twelve months.

Recommendations. Compliance with Recommendations is not mandatory for the product to be certified. However compliance with Recommendation will be verified during the audit and any deficiency ( k day du ) will be included in the Audit Report as a Recommendation. The Organisation shall inform the Certification Body, during the following audit, regarding any corrective measures implemented.

Requirements which are not applicable to the audited Organisation will be marked with "N.A."

## Description of the Organisation

This document shall only be filled out by personnel of the Certification Body in charge of the audit. It must be filled out in English.

**a) NAME OF THE ORGANISATION TO BE AUDITED:**

MINH DANG CO. LTD ,  
83 PROVINCIAL ROAD NO.8 , MY XUYEN DISTRICT , SOC TRANG PROVINCE ,  
VIETNAM

**b) NAME OF THE ORGANISATION REQUESTING THE AUDIT: *MINH DANG CO. LTD***

**c) IS THE ORGANISATION TO BE AUDITED PART OF A GROUP? IF SO, PLEASE SPECIFY THE NAME OF THE GROUP: None**

**d) ADDRESS OF THE ORGANISATION TO BE AUDITED:**

- *Factory : : **MINH DANG CO. LTD***  
*83 PROVINCIAL ROAD NO.8 , MY XUYEN DISTRICT , SOC TRANG PROVINCE ,  
VIETNAM*
- *Seapoint 1: Ba Lua island , Kien Luong Dist , Kien Giang province , Viet nam  
for Paphia*
- *Fish Harbour : Tran De fish harbour , Tran De dist , Soc Trang province , Viet  
nam for squid and octopus*

**e) NAME AND CONTACTS OF THE PERSON WITHIN THE ORGANISATION RESPONSIBLE FOR THE AUDIT AND CONTACTS WITH THE AUDITOR:**

Ms Le Thi Bich Hop – QA Manager

**f) FLEET TO BE AUDITED:** Kien Giang Fleet for Squid and octopus catching

Soc Trang fleet for Paphia harvesting

See the list attached for Kien Giang fleet and Soc Trang fleet

<i>Name of the fishing vessel</i>	<i>Registration number</i>	<i>Vessel's flag</i>	<i>Fishing method</i>	<i>Capacity (MT)</i>	<i>Unloading harbor</i>	<i>Ship owner if different from a)</i>



**g) VESSELS AUDITED ON SITE:** (the auditor must list the vessels which have actually been audited on site as sample representing the fleet)

Name of the fishing vessel	Registration number	Unloading harbor
Vu Van Minh	KG 61184 - TS	Kien Giang
Lê Minh Vũ	KG 61243 TS	Kien Giang
Nguyễn Văn Đô	KG 61189 TS	Kien Giang
Trương Quang Út	KG 61587 TS	Kien Giang
Lê Văn Thu Ba	KG 61728 TS	Kien Giang
Trần Văn Xếp	ST-90299-TS	Soc Trang
Nguyễn Văn Giá	ST-91449-TS	Soc Trang
Huỳnh Thị Rạng	ST-90848-TS	Soc Trang
Huỳnh Thị Rạng	ST-90747-TS	Soc Trang
Nguyễn Văn Lân	ST-92269-TS	Soc Trang

**h) FISHING ZONE** (Coordinates and/or FAO area and/or subarea and/or ICES area and/or EEZ. If available please include also a map)

**Fishing Zone : FAO 71 ( Offshore region in South Eastern areas Vietnam )** for Sepia japonica; Sepia pharaonis; loligo formosana, loligo edulis; Octopus membranaceus. And Ba Lua island , Kien Giang province , Vietnam for Paphia undulata as complied with Circular No. 89/2011/TT-BNNPTNT dated 29 .12.2011 List of fishery zone permitted catching with limit time of Vietnamese Ministry of Agriculture and Rural Development

**i) COMMON AND SCIENTIFIC NAME OF THE SPECIES TO BE AUDITED**

Common Name	Scientific Name
Squid and cuttlefish	Sepia japonica; Sepia pharaonis; Loligo formosana, Loligo edulis
Octopus	Octopus membranaceus
Paphia	Paphia undulata

**j) TOTAL NUMBER OF EMPLOYEES:**

**300 employess and 100 staff**

**k) ENVIRONMENTAL CERTIFICATIONS AND AWARDS**

No

**I) ADDITIONAL INFORMATION: Minh Dang Co. controlled the catching activities for 2 fishing zone :** FAO 71 of Soc Trang province ( for squid and octopus ) and Ba Lua island ( for Paphia ) which has been registered by Sub - Department of Capture Fisheries and Resources Protection of 2 Province Soc Trang and Kien Giang under the Agro forestry and fisheries quality assurance Dept of Fishery Ministry . All species to be audited complied with the list of species prohibited catching and harvesting which defined on the annex No. 5 of Circular No.62/[2008/TT-BNN](#) dated 20 May 2008 by Vietnamese Minister of Agriculture and Rural Development and fishing license and under jurisdiction of Vietnam 's Fisheries Law of 2003 ( No. 17/2003 / QH11)

☒ **The Friend of the Sea project was introduced**

*(If not the Auditor must provide a short description)*

☒ **The Organisation and the shipowners were informed of the opportunity, in case of approval, of using the Friend of the Sea logo on the certified products**

☒ **The Organisation has a document qualifying and confirming the roles of the staff carrying out the audit**

☒ **The duration of the Audit was agreed**

☒ **The information included in the Preliminary Information Form has been confirmed:** (in case of changes to the PIF, an updated version has to be promptly provided)

<b>CERTIFICATION BODY:SGS Vietnam</b>	<b>AUDIT TEAM:None</b>	<b>AUDIT START AND END DATE: 9-13.11.2015</b>
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<b>SIGNATURE OF AUDITOR: Pham Thi Binh</b>	<b>NAME OF THE PERSON IN CHARGE FROM THE ORGANISATION AND ACCOMPANYING THE AUDITOR DURING THE AUDIT:Ms Le Thi Bich Hop</b>	<b>AUDIT CODE:</b>

## NOTES TO THE AUDITOR

- 1) The auditor must fill out all fields in the checklist.
- 2) Checklist compilation guidelines are highlighted in the blue boxes.
- 3) The Auditor must provide explanation when requirements are not applicable.
- 4) The Auditor must write YES when the Organisation complies with a requirement and NO when it does not.
- 5) The Auditor must comment and explain the positive or negative answers. YES, NO, N.A. are not enough
- 6) Each relevant document must be added to the final Audit Report in a separate and numbered attachment
- 7) Photographic explanations added to the checklist or attached are appreciated

### **1 – STOCK STATUS**

No.	Requirement	Level	Quantitative parameters	Y/N	Comments
1.1	Up-to-date data and/or information on the stock status is available from one of the following: FAO, Regional Fisheries Management Organisation, Marine Research National Authority, University, other independent research institute. This data concludes that the stock is NOT:				None of the target species are on the IUCN Redlist
1.1.1	Data deficient	Essential		Y	Available data has been sufficient to FAO and to the Vietnamese Ministry to conclude on stock status and appropriate fishing mortality

1.1.2	Over-exploited ( $F > F_{msy}$ )	Essential	$F < F_{msy}$ within probability range of available stock assessments	Y	<p>Loligo edulis, Loligo chinensis, Sepia japonica; Sepia pharaonis; Octopus membranaceus, Paphia undulata can be caught in Vietnam in compliance with Circle No. 02/2006/TT-BTS issued by Ministry of Agriculture and Rural Development and with the official announcement No. 3397/TS – KHCH dated 31.12.2011 about the permitted catching and exported species of Agro Forestry and Fisheries Quality Assurance Dept of Ministry of Agriculture and Rural Development, Loligo formosana (recently renamed <i>Uroteuthis chinensis</i> as official announcement No. 147/QLCL-CL1 dated 24.01.2014 issued by Agro Forestry and Fisheries Quality Assurance Dept of Ministry of Agriculture and Rural Development) catching is permitted and exported for Germany market. The Kien Giang Department of capture Fisheries and Resources protection defined Paphia is a species with limited fishing season as circles No. 02/2006/TT-BTS recently updated from 31.05.2015 to 01.12.2015- on the Website of by NAFIQAVER (National Agro – Forestry-Fishery Quality Assurance Dept). This limit is updated every month because of the safety control of EU for Paphia.</p> <p>The fishing activity is run In compliance with the updated circles No. 62/ 2008/TT-BNN dated 20.05.2008 by the Viet nam Minister of Agriculture and Rural Development about concerning the minimum size, the species allowed, the area where fishing is allowed , Sampling : the size of fish permitted catching Minimum Length of Paphia : 30mm Minimum length Loligo edulis) : 250 mm Minimum length of Squid ( Loligo edulis) : 200 mm</p> <p>. All public data above state that the targeted species are not over exploited</p>
1.1.3	Over-Fished ( $B < B_{msy}$ )	Essential	$B > B_{msy}$ within probability range of available stock assessments	Y	<p><b>FIGURE B12.7</b></p> <p>And data in area 71: Squid and cuttlefish were not overexploited / overfished</p> <p><a href="http://firms.fao.org/firms/resource/13335/en">http://firms.fao.org/firms/resource/13335/en</a></p> <p><b>RESOURCE STATUS AND FISHERY MANAGEMENT</b></p> <p>A recent stock assessment workshop for South and Southeast Asia (FAO, 2010) indicated that many of the coastal fish resources in this region continue to be under increasing fishing pressure and that many of these resources are fully exploited or overexploited.</p> <p>The most recent stock assessments suggest that this status has not changed (FAO, 2010, Table D14).</p> <p>Consistent with the trends in Consistent with the trends in overall catches of the different groups of coastal fish resources, the majority of stocks are now considered to be at least fully exploited in the east of Area 71</p> <p>For the invertebrate groups, the crustacean (shrimp and crabs) and cephalopod (squid and cuttlefish) resources are considered to be at least fully fished, but overfished in one or more of the countries (e.g. Thailand and Cambodia; FAO, 2010).</p>

**The Auditor must take into consideration only the most up-to-date official studies on the stock status. These studies can be provided by the company to be audited, by Friend of the Sea, by other interested parties and by the auditor. Most updated stock assessments for tuna resources are carried out by the tuna RFMOs (IOTC, IATTC, CIAT, WCPFC). The Auditor must provide evidence on the conclusion regarding the status of the stock including clear reference to documents and websites.**

1.2	Requirement 1.1 and sub do not apply to Fisheries or fleets which comply with all other requirements and which are not responsible for stock over-exploitation and do not catch more than 10% of total fish in the stock under consideration.	Essential	Weight of catches by fishery with same fishing method as the one under audit, same capacity and targeting same stock is not over 10% of total catches from the same stock.	NA	The local regulation do not define the over-exploitation
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**The Auditor must fill-in these fields ONLY in case of negative answer to the 1.1 requirement**

## **2 – ECOSYSTEM IMPACT**

No.	Requirement	Level	Quantitative parameters	Y/N	Comments
2.1	The fishery or fleet complies with Marine Protected Areas regulation.		Verify compliance also by use of VMS and plotters tracking and World database <a href="http://www.mpaglobal.org">www.mpaglobal.org</a>	Y	<p>The Fleet vessels of Soc Trang are powered with 300-450 hp engines.</p> <p>Trawlers, equipped with deck instruments of 600 hp and fish detection equipment are considered.</p> <p>The government proposed to establish 15 marine protected areas among which 3 were under implementation (2010); Hon Mun, Cu Lao Cham and Con Dao( Kien Giang ) with the aim to conserve 2% of the sea area.</p> <p>However the fleet targeting squid and octopus has been controlled to complied with regulation issued by the Sub Department of Capture Fisheries and Resources Protection of Soc Trang province and Kien Giang Province under the fishing license and under jurisdiction of Vietnam 's Fisheries Law of 2003 ( No. 17/2003 / QH11)</p> <ul style="list-style-type: none"> <li>The decrees No. <a href="#">123/2006/NĐ-CP</a> dated 26.20.2006 of The Government about the management of of Fishing catching activities of group or individual in the fishing catching of Vietnamese shore .</li> </ul>

**The Auditor, through random sampling, using the Satellite Control System on the vessels or valid alternative evidence, must verify that the fishing activity is not carried out in infringement of Marine Protected Areas (MPA). Alternatively an official declaration from local Control Authorities must be produced. The Auditor must provide a list of Protected Marine Areas in the area (refer to [www.mpaglobal.org](http://www.mpaglobal.org)).**

2.2	The fishery or fleet must use fishing gears that do not affect the seabed unless proven that such impact is negligible.		The seabed and benthic marine wildlife must revert to their original conditions within a maximum of 30 days from the impact of the fishing gear on the seabed.	Y	The fleet use Trawler for squid and octopus and Paphia catching in compliance with REGULATION (EU) No 1379/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products,
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**The Auditor must collect conformity evidence.**

2.3	The ecosystem impact of the fishery or fleet is taken into consideration by the RFMOs.  (Cfr. Art. 31.2 of FAO guidelines 2009)	Recommendation	The RFMO must carry out studies which consider the impact of the fleet or fishery on the ecosystem and it must take this into account when producing managements advices.	Y	Each vessel has a fishing license released by Sub Department of Capture Fisheries and Resources Protection of province such as Soc Trang province and Kien Giang Province. Included : - The permitted catching area - Name of Vessel - Kind of mesh sizes , time of catching Catching certificate issued every 6months See the attached files.
<b>The Auditor must provide evidence referring to all available studies.</b>					

### **3- SELECTIVITY**

No.	Requirement	Level	Quantitative parameters	Y/N	Comments
3.1	Accidental catches must not include species listed in the IUCN red list of endangered species as Vulnerable or higher risk.  The IUCN assessment must have been carried out no more than 10 years before and it must have not been outdated by a more recent stock assessment for the given species / stock.	Important	Bycatch studies must have been carried out by the relevant bodies (FAO or RFMOs or National Authorities or Universities) and they must provide information regarding level of bycatch and bycaught species  These studies must not indicate the presence of species vulnerable or worse among the regularly (over 0.25% of total weight) species according to <a href="http://www.redlist.org">www.redlist.org</a> .	Y	The log book shows that no endangered species included in the IUCN redlist are caught . In compliance with the decrees No. <a href="#">123/2006/NĐ-CP</a> dated 26.20.2006 of The Government about the management of Fishing activities of group or individual in the fishing catching on Vietnamese shore included the list of species whose fishing is forbidden included 25 kinds complied with FAO or RFMOs or National Authorities or Universities
The Auditor must obtain a list of the species that are generally caught accidentally. Such list must be provided by the audited organisation with the available studies. The information included in the list must be compared with the accidental catches actually occurred on site at the time of unloading. The list must also be compared with the <i>database of the IUCN red list</i> <a href="http://www.redlist.org">www.redlist.org</a> . <i>The Auditor must provide a final document that shows if any of the accidentally caught species is included in the IUCN list.</i>					
3.2	The level of discard (in weight) must not be over 8% of total catch.		Discards are bycaught species which are not used for human consumption not for fish meal or fishoil production.	Y	Log book has been checked and no discard is recorded due to the mesh size that is bigger than the minimum size of the fish to be retined. The total captures have been recorded and show no discards .

3.3.1	FADs (Fish Aggregating Devices)  The fleet or fishery must provide a census of number of FADs deployed in the previous 12 months per vessel and its must report on a yearly basis to Friend of the Sea regarding FADs deployment per vessel.	Important	Auditor must collect the data provided by the Fleet or fishery and attach it to the Audit Report	NA	The fleet is no targeting tuna and no using FADs
3.3.2	FADs (Fish Aggregating Devices)  The fleet must use non entangling FADs only, to avoid entanglement of sharks and turtles.	Important	Audit must collect evidence including pictures of FADs, purchase invoices with technical specifications to prove compliance.	NA	The fleet is no targeting tuna and no using FADs

## **4 - LEGAL CONFORMITY**

N°	Requirement	Level	Quantitative parameters	Y/N	Comments
4.1	All fishing vessels must be officially registered.	Essential	Vessel registration and fishing license inspection.	Y	All the 50 vessels I have been registered and have fishing license by Sub - Department of capture fisheries and resources protection. e . Sampling : <ul style="list-style-type: none"> <li>- Vessel registration No. 00184/09 for vessel No. ST 90747-TS dated 29.12.2009 issued by Sub - Department of Capture Fisheries and Resources protection of Soc Trang</li> <li>- Catching License No. 003247 for vessel No. ST 90747 –TS dated 07.08.2014 issued by Sub - Department of Capture Fisheries and Resources protection of Soc Trang , validated to 07.06.2015</li> <li>- Photo attached files .</li> </ul>
<b>The Auditor must request a list of all the fishing boats and the respective registration number. The Auditor must collect on site all the documents concerning the registration of at least 10% of the audited boats (copies of photos of the documents)</b>					
4.2	The fleet does not include boats with a flag of convenience.	Essential	The auditor must verify that the boat is not registered to another Nation identified as Flag of Convenience ( <a href="http://www.itfseafarers.org/foc-registries.cfm">http://www.itfseafarers.org/foc-registries.cfm</a> ).	Y	All boat with the Vietnamese flag , no boat registered to another Nation
<b>The Auditor must verify according to the website <a href="http://www.itfseafarers.org/foc-registries.cfm">http://www.itfseafarers.org/foc-registries.cfm</a>.</b>					
4.3	The fleet does not include IUU (illegal, unreported, unregulated) fishing vessels.	Essential	The boat cannot be included in the list <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:350:0038:0043:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:350:0038:0043:EN:PDF</a>	Y	The fleet does not include IUU

**The Auditor must verify according to the list on the website**  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:350:0038:0043:EN:PDF>

4.4	The fleet must be "Dolphin Safe" approved by the Earth Island Institute.	Essential	The organisation must be included in the Dolphin-Safe list of the Earth Island Institute: www.dolphinsa fetuna.org	NA	The fleet is not targeting tuna
<b>The Auditor must verify the conformity on the list <a href="http://www.dolphinsafetuna.org">www.dolphinsafetuna.org</a> or else the company must sign the EII DS Policy and a copy must be included in the audit report</b>					
4.5	The fishing company complies with national and international regulations.  Compliance with the following regulations in particular has to be confirmed and verified:	Essential	Countries' fisheries laws are available on the website FAO <a href="http://www.fao.org/fishery/countryprofiles/search/en">http://www.fao.org/fishery/countryprofiles/search/en</a> . The Auditor must specify applicable indicators.	Y	All Vietnamese vessel which harvesting , registered and operating under the authority of valid fishing license and under the jurisdiction of Vietnam 's Fisheries Law of 2003 ( No. 17/2003 / QH11) and associated regulatory instrument or under internationally agreed and conversation management measure implemented by Vietnam
4.5.1	TAC (Total catching allowed)	Essential	Countries' fisheries laws are available on the website FAO <a href="http://www.fao.org/fishery/countryprofiles/search/en">http://www.fao.org/fishery/countryprofiles/search/en</a> . The Auditor must specify applicable indicators.	Y	No regulation for total catching allowed for squid , octopus . Regulation about Paphia harvesting season is respected; from 01.June 2015 to 30 <sup>th</sup> November 2015 fishing is forbidden for protection of fisheries resources as defined in the updated the harvesting updated for bivalve molluscs in the catching zone Southern of Vietnam dated 20.10.2015 on the Website of NAFIQAVED
4.5.2	Use of a logbook	Essential	Countries' fisheries laws are available on the website FAO <a href="http://www.fao.org/fishery/countryprofiles/search/en">http://www.fao.org/fishery/countryprofiles/search/en</a> . The Auditor must specify applicable indicators.	N	In compliance with Decrees of the Government No. 33/2010/NĐ-CP dated 31.03.2010 about management of harvesting and catching activities of group or individual in Vietnamese seashore ... , fleet must has logbook that recorded the activities during harvesting and catching activities . .The logbook attached included : No. trip , dated of depart, date of arrival , total of date not working in the sea , No. catching , time of catching start, catching area location , Distance from the shore, time of catching finish, quantity catching , kind and quantity of fish , see attached files . However there was non confirmative raised by Minor CAR below : <u>Minor CAR 01.</u> The logbook of the catch trip of the vessels has been submitted to Department of Capture Fisheries and Resources Protection by the Master of fishing vessel after a catch trip for issued the catch certificate . However it should be kept on copy files for all certified vessel as the vessel records to verify. Only one copy of log book of vessel No ST 90748 ( Tran De - Soc Trang province ) for loligo formosana, loligo edulis. Octopus membranaceus catching has been checked for reference.
4.5.3	Mesh size	Essential	Countries' fisheries laws are available on the website FAO <a href="http://www.fao.org/fishery/">http://www.fao.org/fishery/</a>	Y	In compliance with circles No. 62/ <u>2008/TT-BNN</u> dated 20 .05.2008 by the Viet nam Minister of Agriculture and Rural Development about the minimum size for the permitted fish catching in natural zone . Minimum Length of Piphia : 30mm

			countryprofile s/search/en. The Auditor must specify applicable indicators.		Minimum length Loligo edulis) : 130 mm Minimum length of Squid ( Loligo edulis) : 130mm. Mesh size has been defined on the Catching License . Mesh size> 40mm Sampling : Catching License . No. 003247 for vessel No. ST 90747 –TS dated 07.08.2014 issued by Sub - Department of Capture Fisheries and Resources protection of Soc Trang , validated to 07.06.2015 defined mesh length >=40mm for squid and octopus catching vessel .
4.5.4	Net size	Essential	Countries fisheries laws are available on the website FAO <a href="http://www.fao.org/fishery/countryprofiles/search/en">http://www.fao.org/fishery/countryprofiles/search/en</a> . The Auditor must specify applicable indicators.	NA	No regulation about net size
4.5.5	Minimum size	essential	Countries' fisheries laws are available on the website FAO <a href="http://www.fao.org/fishery/countryprofiles/search/en">http://www.fao.org/fishery/countryprofiles/search/en</a> . The Auditor must specify applicable indicators.		In compliance with circles No. 62/ <a href="#">2008/TT-BNN</a> dated 20 .05.2008 by the Viet nam Minister of Agriculture and Rural Development about the minimum size for the permitted fish catching in natural zone . Minimum Length of Phipia : 30mm Minimum length Loligo edulis) : 130 mm Minimum length of Squid ( Loligo edulis) : 130mm.
4.5.6	Distance from the shore	Essential	Countries' fisheries laws are available on the website FAO <a href="http://www.fao.org/fishery/countryprofiles/search/en">http://www.fao.org/fishery/countryprofiles/search/en</a> . The Auditor must specify applicable indicators	Y	In compliance with the circle 23 /2015/QĐ-UBND dated 25.06.2015 about the permitted catching area and prohibited the catching area . For Paphia catching area : 10 nautical mile from the shore on the Ba Lua island , Kien Luong , Kien Giang province as the permitted of the Sub Department of Capture Fisheries and Resources Protection of Kien Giang province. For Squid and octopus catching area : offshore region in South eastern area Vietnam FAO71.
4.5.7	Measures for the reduction of accidental catches	Essential	Countries fisheries laws available on the website FAO <a href="http://www.fao.org/fishery/countryprofiles/search/en">http://www.fao.org/fishery/countryprofiles/search/en</a> . The Auditor must specify applicable indicators.	Y	Reduction measure in place as per the Decree of the Government No. 33/2010/NĐ-CP dated 31.03.2010 about management of harvesting and catching activities of group or individual in Vietnamese seashore ... ,In compliance with the regulation No. 30/2008/QĐ-UBND of Kiên Giang Commitment for management about capture fishery activities and protection Resources in Kien Giang province . Anh complied with regulation No. 18/2008/QĐ-UBND of Sóc Trăng Commitment for management about capture fishery activities and protection Resources in Sóc Trang province .
4.5.8	No fishing in protected habitats	Essential	Countries' fisheries laws are available on the website FAO <a href="http://www.fao.org/fishery/countryprofiles/search/en">http://www.fao.org/fishery/countryprofiles/search/en</a> . The Auditor must specify applicable indicators	Y	No fishing in protected habitats
4.5.9	Use of forbidden gears, chemical substances and explosives	Essential	Countries' laws are available on the website FAO <a href="http://www.fao.org/fishery/countryprofiles/search/en">http://www.fao.org/fishery/countryprofiles/search/en</a> . The Auditor must specify applicable indicators	Y	No forbidden gears, chemical substances and explosives used just only used trawl for catching .



**The Auditor must verify, according to national and international regulations, that the aforementioned legal requirements are met and provide an exhaustive report with reference to the law. Where possible, the Auditor shall provide documents and photographs. A detailed description of the fishing regulation concerning each Country is available on FAO's website <http://www.fao.org/fishery/countryprofiles/search/en>**

## 5 – MANAGEMENT

No.	Requirement	Level	Quantitative parameters	Y/N	Comments
5.1	The fishing company has a legal and administrative structure, locally, nationally or regionally, as appropriate (Code of conduct for responsible fishing, article 7.7.1).	Essential	Procedure and organisational chart.	Y	In compliance with code of conduct for responsible fishing of Soc Trang province and Kien Giang province such as : <ul style="list-style-type: none"> <li>- regulation No. 18/2008/QĐ-UBND of Sóc Trăng Commitment for management about capture fishery activities and protection Resources in Sóc Trang province</li> <li>- regulation No. 30/2008/QĐ-UBND of Kiên Giang Commitment for management about capture fishery activities and protection Resources in Kien Giang province</li> </ul> About the organization , administration structure , resposibility in establishing a management system for all catching activities in Soc Trang and Kien Giang rprovince
<b>The Auditor must verify and describe briefly the legal and administrative structure in force.</b>					
5.2	According to the Code of conduct (art 7.5) a precautionary approach is undertaken to protect the target stock and safeguard the marine environment.	Important	Procedure and evidence of conformity.		In Minh Dang Co , threre were 2 group Fleet leaders in their FOS Team Minh Dang Co:  <ol style="list-style-type: none"> <li>1. Mr Truong Quang Ut control 25 vessel in Kien Giang Province for Pipha harvesting .</li> <li>2. Ms Nguyen Thi Ut in Soc Trang for control 25 vessel for the Squid , Octopus catching</li> <li>3. FOS Team Minh Dang Co.</li> </ol>
<b>The Auditor must verify if the Country the flag of the fishing company refers to has ratified the FAO Code of conduct. Otherwise the Organisation must include a precautionary approach in their procedures.</b>					
5.3	The compliance with points 5.1 and 5.2 is achieved through monitoring, surveillance, control and application. (Code of conduct for responsible fishing, article 7.7.1)	Essential	Procedure and evidence of monitoring and control.	Y	The Decision to established the FOS team includede 2 Fleet leader in Soc Trang and Kien Giang dated 9.12.2014 by Ms Nung Director of Minh Dang Co.
<b>The Auditor must describe briefly the monitoring, surveillance, control, and application methods.</b>					
5.4	The fleet or fishery must record bycatches per each fishing trip	Essential	Procedure and evidence of recording during at least one fishing trip.	Y	bycatches per each fishing trip has been recorded in the logbook . Sampling : log book copy of vessel No ST 90748 ( Tran De - Soc Trang province ) for loligo formosana, loligo edulis. Octopus membranaceus catching has been checked
5.5	The fleet or fishery must record discards.	Essential	Procedure and evidence of conformity	N	<b>Minor NC 02 : No discards ( 0%) are bycaught species however discards records defined 0% discards has not been kept on files</b>
<b>The Auditor must provide evidence (photos or copies) of the report on accidental catches and discarded fish.</b>					

5.6	A management system to prevent possible accidental catching of endangered species must be in place.	Essential	Procedure and evidence of conformity.	N	<b>Minor NC 03</b> : No accidental catching of endangered species which has been defined in Code of conduct of Local Department of Capture Fisheries and Resources protection and it was monitored Local Seashore Environment Police as defined in the declare No. 02/2006/TT-BTS dated 20.03.2006 issued by Fishery Ministry . Each vessel complied with by themselves . However the management system to prevent possible accidental catching of endangered species should be documented by for Minh Dang Co. for FOS certified vessel
5.7	The fleet implements a management program that guarantees that any live animals that may be accidentally caught are immediately released in the water under conditions that guarantee high chances of survival.	Essential	Procedure and evidence of conformity.	Y	No live animal caught . Procedures in place to allowed that alive animals accidentally caught can be immediately released in the water under condition that guarantee high chance of survival No. HD /QD-PCL -68 rev 01 dated 01.08 2015
5.8	The fleet is equipped with measures which guarantee a quick retrieval of lost fishing device to avoid "ghost fishing".	Essential	Procedure and evidence of conformity.	Y	Procedures in place
<b>The Auditor must obtain a copy of the aforementioned procedure.</b>					
5.9	The fleet has a full-time on-board inspector, approved by Friend of the Sea, who can reports compliance with Friend of the Sea requirements.	Important	Documental evidence of employment. At least one monthly report of the on-board inspector.	Y	Not yet full-time on-board inspector, approved by Friend of the Sea . However 2 fleet leader : Ms Nguyen Thi Ut and Mr Truong Quang Út are 2 internal on- board inspector have the due knowledge
<b>The Auditor must verify the presence of the inspector and obtain their CV and contacts.</b>					
5.10	The fishing company implements "Threshold Reference Limits" or "Precaution Limits" for both, biomass and quantity of fish caught.	Important	Evidence of the values implemented	Y	The fleet respect the local regulation
<b>The Auditor must verify if the "Reference Points" and the "Precaution Limits" are set by the Regional Bodies and must verify they are complied with.</b>					

## **6 – WASTE MANAGEMENT**

No.	Requirement	Level	Quantitative parameters	YN	Comments
6.1	The fishing company recycles, re-uses or re-processes all materials used during fishing, conservation and transport of the fish up to the selling point, including packaging.	Essential	Procedure and evidence of conformity.	N	The regulation for grading Waste guideline for Re- use , no recycle ( because the engineer is low capacity vessel under 90CV for Piphia and under 500CV for vessel of catching squid and octopus . ) .QD 06 dated 01.08 complied Marpol 73/78 regulation . However one Minor NC raised : <u>Minor NC 04</u> : The recycles, re-uses or re-processes all materials used during fishing including packaging has been contained , conservation and transport of the fish up to the selling point and has been collected by Tran De Port waste treatment service Co. The basket waste and waste collection package in place during the audit however the records of the Tran De Port waste treatment Service Co has not been kept on file to ensure that it was transport of the fish up to the selling point and treated by Tran De Port waste treatment service Co.
6.2	The fishing company implements measures to prevent dispersion of waste in the sea (including fuels and lubricants and plastic matter)	Essential	Procedure evidence of conformity.	N	The company is in compliance with The regulation for Waste management for Re- use , no recycle ( because the engineer is low capacity vessel under 90CV for Piphia and under 500CV for vessel of catching squid and octopus . ) .QD 06 dated 01.08 complied Marpol 73/78 regulation <u>Minor NC 05</u> : A the time audit , the can using for containing the lubricant waste of the vessel No. KG 61184 which catching Paphia undulata ( 20 CV ) should be controlled to
6.3	The fishing company utilises all the chemical non-toxic alternatives available in order to reduce the use of toxic, persistent or bio-accumulating substances.	Essential	Procedure evidence of conformity.	Y	The company is in compliance with The regulation for waste management fro Re- use , no recycle ( because the engineer is low capacity vessel under 90CV for Piphia and under 500CV for vessel of catching squid and octopus . ) .QD 06 dated 01.08 complied Marpol 73/78
6.4	The company does not use CFC, HCFC, HFC or other refrigerants that cause ozone depletion.	Essential	Procedure evidence of conformity.	Y	no use CFC, HCFC, HFC or other refrigerants that cause ozone depletion
<b>The Auditor must provide procedures complete with photographic evidence.</b>					

## **7 – ENERGY MANAGEMENT**

No.	Requirement	Level	Quantitative parameters	Y/N	Comments
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7.1	The Organisation must keep a register of the energy sources and use, updated at least once a year.	Essential	<p>The <b>at least yearly frequency</b> of the energy consumption records must be included in the procedure.</p> <p>The register must state at least the following <b>parameters</b>:</p> <ol style="list-style-type: none"> <li>1. incoming energy sources (renewable or not)</li> <li>2. energy consumption per process line (fishing, processing, transport)</li> </ol>	Y	The records for Diesel oil use for each catching trip has been recorded .
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7.2	The Organisation should calculate its Carbon Footprint per product unit and engage to reduce it every year.	Recommendation		N	The Organisation has not calculate its Carbon Footprint per product unit and engage to reduce it every year yet
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*The Auditor must request copies of the registers.*

## **8- SOCIAL ACCOUNTABILITY**

No.	Requirement	Level	Quantitative parameters	Y/N	Comments
8.1	The Organisation must respect human rights, complying with the following requirements:				
8.1.1	compliance with national regulations and ILO on child labour	Essential	Refer to ILO: <a href="http://www.ilo.org/global/standards/introduction-to-international-labour-standards/lang-en/index.htm">http://www.ilo.org/global/standards/introduction-to-international-labour-standards/lang-en/index.htm</a>	Y	No child labour , all the list of vessel employee has been recorded in the vessel employee log booked and has been checked uper than 18 years old
8.1.2	pay the employees adequate salaries compliant at least with minimum legal wages	Essential	Minimum wages vary depending on the country. The Auditor must verify the Organisation knows about it.	Y	Salary has been paid based on 5% the quantity of fish catching for captain and 3% for staff on the vessel . The Salary logbook has been checked and in compliance with the minimum legal wages of Vietnamese regulation .
8.1.3	grant employees access to healthcare	Essential		Y	
8.1.4	apply safety measures required by the law	Essential		N	All vessels have been checked for the respect of safety safety measures before sailing and renewal after 6 month . all Fishing vessel registered by Fishing Vessels –of Sub Department Sampling : Fishing vessel recorded No. 2273 /DKTC issued by Soc Trang Fishing vessel registered of the Vessel No ST-90848 Soc Trang dated 11.05.2015 included the description vessel, Kind of engineer , Stataus certify, Catching area, the expire dated 10.03.2016 . Sampling the Fishing vessel regisre <b>Minor NC 06 : At the time audit , the safety insurance certificate of the vessel KG 62003TS expire dated 31.05.2015 . However the vessel are on standing by for the next catching begin on 1.12.2005 as the Vietnamese catching</b>
8.2	The organisation should be SA8000 certified.	Recommendation			NA

*The Auditor must verify the compliance with the requirements through documental evidence (work-contract samples) and on-site observation.*

**Further comments: None**

## **CONCLUSIONS:**

The Auditor must fill-in the following fields

**xThe fleet COMPLIES with Friend of the Sea requirements (after sending Cas)**

☐ **The fleet DOES NOT COMPLY with Friend of the Sea requirements**

The Auditor found the following non-conformities:

### **MAJOR NON-CONFORMITIES (to be corrected within 3 months)**

*List major non conformities*

None

### **MINOR NON-CONFORMITIES (corrective plan to be produced within 3 weeks and correction within 1 year)**

*List Minor non conformities*

1. The logbook of the catch trip of the vessels has been submitted to Department of Capture Fisheries and Resources Protection by the Master of fishing vessel after a catch trip for issued the catch certificate . However it should be kept on copy files for all certified vessel as the vessel records to verify. Only one copy of log book of vessel No ST 90748 ( Tran De - Soc Trang province ) for loligo formosana, loligo edulis. Octopus membranaceus catching has been checked for reference
2. No discards ( 0%) are bycaught species however discards records defined 0% discards has not been kept on files
3. No accidental catching of endangered species which has been defined in Code of conduct of Local Department of Capture Fisheries and Resources protection and it was monitored Local Seashore Environment Police as defined in the declare No. 02/2006/TT –BTS dated 20.03.2006 issued by Fishery Ministry . Each vessel complied with by themselves . However the management system to prevent possible accidental catching of endangered species should be documented by for Minh Dang Co. for FOS certified vessel
4. The recycles, re-uses or re-processes all materials used during fishing including packaging has been contained , conservation and transport of the fish up to the selling point and has been collected by Tran De Port waste treatment service Co. The basket waste and waste collection package in place during the audit however the records of the Tran De Port waste treatment Service Co has not been kept on file to ensure that it was transport of the fish up to the selling point and treated by Tran De Port waste treatment service Co.
5. At the time audit , the can using for containing the lubricant waste of the vessel No. KG 61184 which catching Paphia undulata ( 20 CV ) should be controlled to prevent peal off.
6. At the time audit , the safety insurance certificate of the vessel KG 62003TS expire dated 31.05.2015 . However the vessel are on standing by for the next catching begin on 1.12.2005 as the Vietnamese catching regulation for Paphia undulata

## **RECOMMENDATIONS (to be communicated within the next inspection)**

### *List recommendation*

- *The record show that all the vessel staff has been introduce about FOS requirement and other training should be kept on files.*
- *The record for internal inspection should be kept on files .*